

REMARKS

This is in response to the final Office Action dated July 19, 2006, in which claims 1, 5-9, 11-18, 21, 22, 34, 36, 38, 42-46, 48-55, 58, and 59 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Curry et al. (U.S. 4,560,492); claims 19-20 and 56-57 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Curry and further in view of Magari et al. (U.S. 4,416,809); claims 1-11, 13, 15-28, 30, 32-48, 50, 52-65, 67, and 69 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Steindorf (U.S. 5,340,501); and claims 12-14, 29, 31, 49, 51, 66, and 68 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Steindorf and further in view of Rolando et al. (U.S. 5,876,514). The Examiner also responded to Applicant's arguments made on October 4, 2006. With this Amendment, claims 1, 3, 4, 18, 33-38, 40, 41, and 55 have been amended and claims 2 and 39 have been canceled. In reliance on the following remarks, the present application with pending claims 1, 3-17-38, 40-69 is in condition for allowance, and reconsideration and notice to that effect are respectfully requested.

Claims 2 and 39 are canceled without prejudice. In light of the cancellations, the rejections to claims 2 and 39 should be withdrawn.

Claim Rejections Under Curry et al.

In the Office Action, claims 1, 5-9, 11-18, 21, 22, 34, 36, 38, 42-46, 48-55, 58, and 59 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Curry et al. Independent claims 1, 33, 34, 36, and 38 have each been amended to require a HEDTA to water ratio range of about 1:6.25 to about 1:1. Independent claims 1, 33, 34, 36, and 38 have also been amended to require that the solid composition includes less than a solidification interfering amount of a component that can compete with the HEDTA for water and interfere with solidification. Curry et al. do not show, suggest, or teach a solid composition having a HEDTA to water ratio range of about 1:6.25 to about 1:1. In fact, Curry et al. never mentions a mole ratio of HEDTA to water. By contrast, claims 1, 33, 34, 36, and 38 all require the presence of HEDTA and water within a particular ratio range. As stated in the specification, "For example, in some embodiments, the mole ratio of HEDTA to water

present to form the binding agent can be in the range of about 1:6.25 to about 1:1.” (As amended) (Page 4, lines 8-9). Tables 5-8 also provide specific examples of mole ratios of HEDTA to water that resulted in the solidification of the composition, as well as mole ratios that did not result in the solidification of the composition. In particular, “The control, and formulations A1, B1, F1, G1, J1, K1, L1, M1, and N1 formed a solid tablet, while formulations C1, D1, E1, H1, and I1 did not harden....” (Page 30, lines 9-10). Thus, only particular mole ratio ranges of HEDTA to water result in solidification of the composition.

Furthermore, claims 1, 33, 34, 36, and 38 also require that the solid composition includes less than a solidification interfering amount of a component that can compete with the HEDTA for water and interfere with solidification. The composition of Curry et al. only becomes solid, or granular, by spray drying, not through the interaction of the components. “The following compositions are prepared by spray drying a water slurry of the components to provide a granular detergent composition.” (Col. 12, lines 13-15). The components of the composition of Curry et al. thus do not work in combination with each other to solidify the composition. The composition solidifies due to spray drying. By contrast, claims 1, 33, 34, 36, and 38 require that a component that would compete with the HEDTA for water be present in an amount that does not interfere with solidification. As stated in the specification, “In at least some embodiments, the composition includes less than a solidification interfering amount of a component that can compete with the HEDTA for water and interfere with solidification.” (Page 5, lines 4-6). Tables 5-8 also provide specific examples of when a component, such as tripolyphosphate, is present in an amount to interfere with solidification. In particular, although examples J1 and K1 solidified, example I1, which had the same mole ratio of HEDTA to water as examples J1 and K1, did not solidify. As shown in the tables, this was at least in part due to the increased amount of tripolyphosphate in the composition.

Curry et al. does not show, suggest, or teach a particular mole ratio range of HEDTA to water, or that the composition includes less than a solidification interfering amount of a component that can compete with the HEDTA for water and interfere with solidification. Claims 1,

33, 34, 36, and 38 all require a HEDTA to water ratio range of about 1:6.25 to about 1:1, and that the composition include less than a solidification interfering amount of a component that can compete with the HEDTA for water and interfere with solidification. Thus, the rejections of independent claims 1, 33, 34, 36, and 38 should be withdrawn and independent claims 1, 33, 34, 36, and 38 allowed. In that claim 1 is in condition for allowance, the rejections of claims 5-9, 11-18, 21, and 22, which depend therefrom, should be withdrawn and claims 5-9, 11-18, 21, and 22 allowed. In that claim 34 is in condition for allowance, the rejection of claim 35, which depends therefrom, should be withdrawn and claim 35 allowed. In that claim 36 is in condition for allowance, the rejection of claim 37, which depends therefrom, should be withdrawn and claim 37 allowed. In that claim 38 is in condition for allowance, the rejections of claims 39-48, 50, 52-65, 67, and 69, which depend therefrom, should be withdrawn and claims 39-48, 50, 52-65, 67, and 69 allowed.

Claim Rejections Under Curry et al. in view of Magari et al.

In the Office Action, claims 19-20 and 56-57 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Curry et al. and further in view of Magari et al. In that independent claim 1 is in condition for allowance, the rejections of claims 19 and 20 which depend therefrom, should be withdrawn and claims 19-20 allowed. In that independent claim 38 is in condition for allowance, the rejections of claims 56-57, which depend therefrom, should be withdrawn and claims 56-57 allowed.

Claim Rejections Under Steindorf

In the Office Action, claims 1-11, 13, 15-28, 30, 32-48, 50, 52-65, 67, and 69 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Steindorf. As amended, independent claims 1, 34, 36, and 38 each require a solid binding agent that forms from a combination of hydroxylethylenediaminetriacetic acid (HEDTA) and water having a mole ratio range of between about 1:6.25 and about 1:1. Steindorf does not show, teach, or suggest combining HEDTA and water at a mole ratio range of between about 1:6.25 and about 1:1. The Office Action asserted that it would have been obvious to one of ordinary skill in the art to optimize the proportions of HEDTA

and water because it is known to select the portion of the prior art's range which is within the range of applicant's claims. (Office Action dated November 30, 2006, Page 6). However, Steindorf never mentions a range of HEDTA to water. Therefore, there was no prior art range to optimize. By contrast, claims 1, 33, 34, 36, and 38 require a particular mole ratio range of HEDTA to water of between about 1:6.25 and about 1:1. After experimentation, it was found that only a particular mole ratio range of HEDTA to water resulted in solidification. Tables 5-8 provide specific examples of mole ratios of HEDTA to water that resulted in solidification of the composition, as well as mole ratios that did not result in solidification. In particular, "The control, and formulations A1, B1, F1, G1, J1, K1, L1, M1, and N1 formed a solid tablet, while formulations C1, D1, E1, H1, and I1 did not harden...." (Page 30, lines 9-10). Thus, only particular mole ratio ranges of HEDTA to water result in solidification.

Thus, the rejection of independent claims 1, 33, 34, 36, and 38 should be withdrawn and independent claims 1, 33, 34, 36, and 38 allowed. In that independent claim 1 is in condition for allowance, the rejections of claims 3-11, 13, 15-28, 30, and 32, which depend therefrom, should be withdrawn and claims 3-11, 13, 15-28, 30, and 32 allowed. In that independent claim 34 is in condition for allowance, the rejection of claim 35, which depends therefrom, should be withdrawn and claim 35 allowed. In that independent claim 36 is in condition for allowance, the rejection of claim 36 should be withdrawn and claim 37 allowed. In that claim 38 is in condition for allowance, the rejections of claims 40-48, 50, 52-65, 67, and 69, which depend therefrom, should be withdrawn and claims 40-48, 50, 52-65, 67, and 69 allowed.

Claim Rejections Under Steindorf in view of Rolando et al.

In the Office Action, claims 12, 14, 29, 31, 49, 51, 66, and 68 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Steindorf and further in view of Rolando et al. In that independent claim 1 is in condition for allowance, the rejections of claims 12, 14, 29, and 31, which depend therefrom, should be withdrawn, and claims 12-14, 29, and 31 allowed. In that independent

claim 38 is in condition for allowance, the rejections of claims 49, 51, 66, and 68, which depend therefrom, should be withdrawn and claims 49, 51, 66, and 68 allowed.

Conclusion

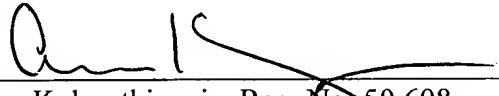
In view of the foregoing, pending claims 1, 3-17-38, 40-69 are in condition for allowance. Notice to that effect is respectfully requested.

Respectfully submitted,

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